

CALVIN E. DAVIS (SBN: 101640)  
[cdavis@grsm.com](mailto:cdavis@grsm.com)  
AARON P. RUDIN (SBN: 223004)  
[arudin@grsm.com](mailto:arudin@grsm.com)  
AMANDA A. GARCIA (SBN: 331043)  
[aagarcia@grsm.com](mailto:aagarcia@grsm.com)  
GORDON REES SCULLY MANSUKHANI, LLP  
633 West Fifth Street, 52nd Floor  
Los Angeles, CA 90071  
Telephone: (213) 576-5000  
Facsimile: (213) 680-4470  
  
Attorneys for Plaintiff  
GUARDIAN PROTECTION PRODUCTS, INC.

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

GUARDIAN PROTECTION PRODUCTS, INC., a Delaware corporation,	)	CASE NO. 1:20-CV-01680-SKO
	)	
Plaintiff,	)	<b>STIPULATION AND ORDER TO</b>
	)	<b>MODIFY SCHEDULING ORDER;</b>
vs.	)	<b>DECLARATION OF AARON P. RUDIN</b>
	)	<b>IN SUPPORT</b>
G.P.P., INC. d/b/a GUARDIAN INNOVATIVE SOLUTIONS, a Pennsylvania corporation,	)	<b>(Doc. 48)</b>
	)	Complaint Filed: November 24, 2020
Defendant.	)	Counterclaim Filed: February 22, 2021
	)	Trial: January 23, 2024
	)	Pre-Trial Conference: November 15, 2023
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G.P.P., INC. d/b/a GUARDIAN INNOVATIVE SOLUTIONS, a Pennsylvania corporation,	)	
	)	
Counterclaimant,	)	
	)	
vs.	)	
	)	
GUARDIAN PROTECTION PRODUCTS, INC., a Delaware corporation,	)	
	)	
Counter-defendant.	)	
	)	

Pursuant to the Court's modified Scheduling Order [Dkt. No. 46] and L.R. 143, Plaintiff/Counter-Defendant Guardian Protection Products, Inc. ("Guardian") and Defendant/Counterclaimant G.P.P. Inc. d/b/a Guardian Innovative Solutions ("GIS") hereby submit the following stipulation and proposed order to further modify the Scheduling Order.

WHEREAS, on April 16, 2021, this Court issued a Scheduling Order [Dkt. No. 30] in this matter;

WHEREAS, on October 14, 2021 the parties submitted a Stipulation and Proposed Order to modify the scheduling order [Dkt. No. 40], and on October 15, 2021, the Court modified the Scheduling Order [Dkt. No. 41];

WHEREAS, following a week-long trial, on December 13, 2021, this Court issued a final judgment [Dkt. No. 499] in the related case entitled *G.P.P., Inc. d/b/a Guardian Innovative Solutions v. Guardian Protections Products, Inc., et al.*, Case No. 1:15-cv-00321-SKO;

WHEREAS, on February 3, 2022, the parties submitted a Further Stipulation and Proposed Order to modify the scheduling order [Dkt. No. 42], and on February 4, 2022, the Court modified the Scheduling Order [Dkt. No. 43];

WHEREAS, on April 15, 2022, GIS filed a Notice of Appeal in the related matter [Dkt. No. 513];

WHEREAS, on April 22, 2022, Guardian filed a Notice of Appeal in the related matter [Dkt. No. 516];

WHEREAS, on August 3, 2022, the parties submitted a Further Stipulation and Proposed Order to modify the scheduling order [Dkt. No. 44], and on February 5, 2022, the Court modified the Scheduling Order [Dkt. No. 46] setting the following dates:

Event	Date
Non-Expert Discovery	March 20, 2023
Expert Disclosures	April 24, 2023
Rebuttal Expert Disclosures	May 24, 2023
Expert Discovery	June 28, 2023
Non-Dispositive Motion Filing	June 28, 2023
Non-Dispositive Motion Hearing	August 2, 2023
Dispositive Motion Filing	August 2, 2023
Pretrial Conference	November 15, 2023
Trial	January 23, 2024

1 WHEREAS, on September 12, 2022, GIS filed its Opening Brief for the Appeal in the  
2 related matter;

3 WHEREAS, on November 14, 2022, Guardian filed its Principal and Response Brief for  
4 the Appeal in the related matter;

5 WHEREAS, on January 13, 2023, GIS filed its Response and Reply Brief for the Appeal  
6 in the related matter;

7 WHEREAS, Guardian's optional reply brief for the Appeal in the related matter is  
8 currently due March 6, 2023;

9 WHEREAS, on January 18, 2023, the Ninth Circuit issued an Order for the Appeal in the  
10 related matter stating that oral argument, if any, will be set in due course;

11 WHEREAS, in light of the current and foreseeable appellate activity in the related matter,  
12 the parties believe that an additional six (6) month extension on the above deadlines is  
13 reasonable and necessary to avoid a potential waste of judicial resources and those of the parties  
14 and promote efficiency and economy for the court and the parties;

15 WHEREAS, absent an extension, the parties would be required to complete discovery,  
16 along with potential non-dispositive and dispositive motions, in this matter at the same time they  
17 are engaged in a pending appeal in the related matter the outcome of which could potentially  
18 impact these proceedings, which would result in duplication of effort and unduly and  
19 unnecessarily strain the resources of both parties and their counsel.

20 ACCORDINGLY, IT IS HEREBY STIPULATED and REQUESTED by the parties that  
21 the Scheduling Order [Dkt. No. 46] be further modified as follows:

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Event	Proposed Date
Non-Expert Discovery	September 20, 2023
Expert Disclosures	October 24, 2023
Rebuttal Expert Disclosures	November 27, 2023
Expert Discovery	January 2, 2024
Non-Dispositive Motion Filing	January 2, 2024
Non-Dispositive Motion Hearing	February 7, 2024
Dispositive Motion Filing	February 14, 2024
Pretrial Conference	May 15, 2024
Trial	July 23, 2024

IT IS SO STIPULATED.

Dated: January 30, 2023

GORDON REES SCULLY MANSUKHANI, LLP

By: /s/ Aaron P. Rudin  
 Calvin E. Davis  
 Aaron P. Rudin  
 Amanda A. Garcia  
 Attorneys for Plaintiff and Counter-Defendant  
 GUARDIAN PROTECTION PRODUCTS, INC.

Dated: January 30, 2023

WILSON SONSINI GOODRICH & ROSATI  
 Professional Corporation

By: /s/ Jason Mollick  
 Dylan J. Liddiard  
 Jason Mollick  
 Attorneys for Defendant and Counter-  
 Claimant G.P.P., INC. d/b/a GUARDIAN  
 INNOVATIVE SOLUTIONS  
 (as authorized on January 30, 2023)

**ORDER**

Finding good cause therefore (Fed. R. Civ. P. 16(b)(4)), the parties' stipulation is hereby approved. Accordingly, IT IS HEREBY ORDERED that the case schedule (Doc. 46) is MODIFIED as follows:

Event	Prior Date	Continued Date
Non-Expert Discovery	March 20, 2023	September 20, 2023
Expert Disclosures	April 24, 2023	October 24, 2023
Rebuttal Expert Disclosures	May 24, 2023	November 27, 2023
Expert Discovery	June 28, 2023	January 2, 2024
Non-Dispositive Motion Filing	June 28, 2023	January 2, 2024
Non-Dispositive Motion Hearing	August 2, 2023	February 7, 2024
Dispositive Motion Filing	August 2, 2023	February 14, 2024
Deadline to Request Settlement Conference Date (see below)	n/a	May 29, 2024
Pretrial Conference	November 15, 2023	May 15, 2024, at 2:30 p.m.
Trial	January 23, 2024	August 27, 2024, at 8:30 a.m.

Unless all the parties affirmatively request that the assigned trial judge participate in the conference and waive in writing any claim of disqualification on that basis to act as the trial judge in the action thereafter, the assigned trial judge shall not conduct the settlement conference. *See* E.D. Cal. L.R. 270(b). Accordingly, the Settlement Conference will at this time be set before another Magistrate Judge, who holds Settlement Conferences on Tuesdays and Thursdays at 1:00 p.m.

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Counsel are to meet and confer and discuss the advantages of and possibilities for settlement with each other, and with their respective clients, to help ensure that a Settlement Conference will be productive. By no later than **May 29, 2024**, the parties shall jointly email Courtroom Deputy Wendy Kusamura at WKusamura@caed.uscourts.gov to schedule a settlement conference.

IT IS SO ORDERED.

Dated: **January 31, 2023**

/s/ Sheila K. Oberto  
UNITED STATES MAGISTRATE JUDGE

Gordon Rees Scully Mansukhani LLP  
633 West Fifth Street, 52nd Floor  
Los Angeles, CA 90071